

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

CHARLES R. FULBRUGE III
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

FILED

August 7, 2008

AUG 11 2008

Ms Rhonda McCay
Suite 1201
221 N Kansas
Wells Fargo Building
El Paso, TX 79901

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

No. 08-50634 USA v. Arzate
USDC No. 3:06-CR-1853-1 FM

We have not received your acknowledgment of the enclosed purchase order for the transcript in this case. We assume that the appellant has made the necessary financial arrangements for preparing the transcript. You have 30 days from the date we received the purchase order to file the transcript with the district court clerk. We will adjust this time only in the event financial arrangements are not complete.

If you cannot file the transcript within the 30 day period, you must file it within the 60 day discount period. **If you require any additional time to file the transcript, you must file a motion setting out the reasons for the extension prior to the expiration of the discount date.**

Sincerely,

CHARLES R. FULBRUGE III, Clerk

By:

Madeline Chigoy
Madeline Chigoy, Deputy Clerk
504-310-7691

Enclosure
cc w/encl:

Mr William Putnicki, Clerk
Mr Philip J Lynch
Mr Joseph H Gay Jr

REPTR-1

READ INSTRUCTIONS ON BACK OF LAST PAGE BEFORE COMPLETING

TRANSCRIPT ORDER

District Court Western District of Texas/El Paso Division	District Court Docket Number EP-06-CR-01853-FM
Short Case Title <u>U.S.A. v. Arturo Arzate, Jr.</u>	Court Reporter <u>E R O</u>
Date Notice of Appeal Filed by Clerk of District Court <u>June 18, 2008</u>	Court of Appeals # <u>08-50634</u> (If Available)

PART I. (To be completed by party ordering transcript. Do not complete this form unless financial arrangements have been made.)

A. Complete one of the following:

- ☐ No hearings
☐ Transcript is unnecessary for appeal purposes
☐ Transcript is already on file in Clerk's office
☒ This is to order a transcript of the following proceedings: (check appropriate box)
 Voir dire ☐; Opening statement of plaintiff ☐ defendant ☐;
 Closing argument of plaintiff ☐ defendant ☐; Opinion of court ☐;
 Jury instructions ☐; Sentencing ☐; Bail hearing ☐;

HEARING DATE(S)

September 18, 2006

PROCEEDING

Initial Appearance

JUDGE/MAGISTRATE

Hon. Richard P. Mesa

FAILURE TO SPECIFY IN ADEQUATE DETAIL THOSE PROCEEDINGS TO BE TRANSCRIBED,
OR FAILURE TO MAKE PROMPT SATISFACTORY FINANCIAL ARRANGEMENTS FOR TRANSCRIPT,
ARE GROUNDS FOR DISMISSAL OF THE APPEAL.

B. This is to certify that satisfactory financial arrangements have been completed with the court reporter for payment of the cost of the transcript. The method of payment will be:

- ☐ Private funds; ☐ Criminal Justice Act Funds (Attach copy of
 CJA Form 24 to court reporter's copy); ☐ Other IFP Funds;
☐ Advance Payment waived by reporter; ☐ U.S. Government Funds;
☒ Other Invoice Federal Public Defender

Signature [Signature] Print Name Philip J. Lynch Counsel for Arturo Arzate, Jr.
 Address 727 E. Durango Blvd., B-207, San Antonio, Texas 78206 Telephone (210) 472-6700

ALLOWANCE BY THE COURT FOR LEAVE TO PROCEED IN FORMA PAUPERIS IN A CIVIL APPEAL
DOES NOT ENTITLE THE LITIGANT TO HAVE TRANSCRIPT AT GOVERNMENT EXPENSE.

PART II.

COURT REPORTER ACKNOWLEDGEMENT (To be completed by the Court Reporter and forwarded to the Court of Appeals within 7 days after receipt. Read instructions on reverse side of copy 4 before completing).

Date transcript order received	If arrangements are not yet made, date contact made with ordering party re: financial arrangements	Estimated completion date *	Estimated number of pages

Satisfactory Arrangements for payment were made on _____
 Arrangements for payment have not been made. Reason: ☐ Deposit not received ☐ Unable to
 contact ordering party ☐ Other (Specify) _____

Date

Signature of Court Reporter

Telephone

Address of Court Reporter:

* Do not include an estimated completion date unless satisfactory financial arrangements have been made or waived.

PART III.

NOTIFICATION THAT TRANSCRIPT HAS BEEN FILED IN THE DISTRICT COURT (To be completed by court reporter on date of filing transcript in District Court and notification must be forwarded to Court of Appeals on the same date).

This is to certify that the transcript has been completed and filed with the District Court today.

Actual Number of Pages

Actual Number of Volumes

Date

Signature of Court Reporter

READ INSTRUCTIONS ON BACK OF LAST PAGE BEFORE COMPLETING

TRANSCRIPT ORDER

District Court Western District of Texas/El Paso Division	District Court Docket Number EP-06-CR-01853-FM
Short Case Title <u>U.S.A. v. Arturo Arzate, Jr.</u>	Court Reporter <u>E R O</u> <i>Phonetic</i>
Date Notice of Appeal Filed by Clerk of District Court <u>June 18, 2008</u>	Court of Appeals # <u>08-50639</u> (If Available)

PART I. (To be completed by party ordering transcript. Do not complete this form unless financial arrangements have been made.)

A. Complete one of the following:

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☐ Transcript is already on file in Clerk's office
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Voir dire ☐; Opening statement of plaintiff ☐ defendant ☐;
 Closing argument of plaintiff ☐ defendant ☐; Opinion of court ☐;
 Jury instructions ☐; Sentencing ☐; Bail hearing ☐;

HEARING DATE(S)

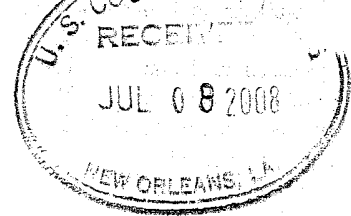
June 26, 2008

PROCEEDING

Appointment Hearing

JUDGE/MAGISTRATE

Hon. Michael McDonald



FAILURE TO SPECIFY IN ADEQUATE DETAIL THOSE PROCEEDINGS TO BE TRANSCRIBED, OR FAILURE TO MAKE PROMPT SATISFACTORY FINANCIAL ARRANGEMENTS FOR TRANSCRIPT, ARE GROUNDS FOR DISMISSAL OF THE APPEAL.

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Signature *Philip J. Lynch* Print Name Philip J. Lynch Counsel for Arturo Arzate, Jr.
 Address 727 E. Durango Blvd., B-207, San Antonio, Texas 78206 Telephone (210) 472-6700

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Signature of Court Reporter

08-50634

Mr William Putnicki, Clerk
Western District of Texas, El Paso
United States District Court
Room 108
511 E San Antonio Street
El Paso, TX 79901
